

# **Bay Delta Conservation Plan (BDCP)**

## **Steering Committee Meeting**

June 27, 2008, 9:00 a.m. to 11:00 a.m.

Resources Agency Bldg., Room 1131

### **Draft Meeting Notes**

#### **Associated documents/handouts:**

- Agenda
- Draft Meeting Notes – April 4, 2008
- Draft Schedule for BDCP Development June-December 2008 (Six month Gantt Chart)
- Draft BDCP Development Process and Schedule (Flow Chart)
- SWRCB Bay Delta Strategic Workplan presentation

#### **Action Items and Key Decisions**

- April 4, 2008 Draft Meeting notes approved with correction of Brent Walthall's name.

#### **Updates**

- Delta Vision Staff Draft Strategic Plan released. John Kirlin will report on the status of the Delta Vision process at the next Steering Committee meeting
- Delta tour postponed to September
- Anthony Saracino introduced Jeanette Howard, eco-regional ecologist working in The Nature Conservancy's water program. As a result of a 5 year effort, TNC has produced the "Sacramento River Flow Tool" model. The ERP awarded a grant (\$1.7 million) for the tool to be applied to the Delta. The model is expected to be operational in one year. Although the model will not be available during the planning process for the BDCP, TNC believes that the model may be useful to the adaptive management program for the BDCP. This model was identified in the BDCP Analytical Tools table.
- PPIC report has been completed and peer reviewed. PPIC will release a research brief in July and the full report in August. The Steering Committee requested that PPIC present their findings to the group.
- Discussion on the purpose of SB994 (a proposed approach to Delta smelt mitigation) and concerns about its potential effect on the BDCP process.
- NMFS and USFWS received a letter from five members of Congress who have some oversight role concerning the Delta. The letter is critical of the fishery agencies and requests a response to seven questions by August 1. NMFS and USFWS will prepare a response and circulate a draft to DFG and the SC.
- The PREs have discussed the congressional letter and have drafted a response which provides background information on BDCP, including its history, the progress made to date, and the hard work invested in the planning process. Members of the SC discussed whether to send a response to the congressional members' letter.
- The SC members also discussed the need to reach out to federal leaders to communicate the goals, challenges, and process of the BDCP. Such an effort may include a trip to Washington D.C. to meet with members of Congress.
- An update on the Wanger court hearings. A ruling on the Red Bluff diversion gates is expected soon. The court also ruled in favor of the government on Clear Creek flows.
- The CAL-LITE hands-on workshop is scheduled for July 7.
- HDR has been hired as the environmental consultant for the preparation of an EIR/EIS. Joe Ehasz of URS has been hired as program manager.
- Update on the OCAP Biological Assessment—FWS has sent a request to the USBR asking for revisions.

- SWRCB will hold a hearing in July to discuss the status of the Auburn dam permit.
- PREs have been asked by DV to report on water supply situation.

### **Review Meeting Notes 04-04-2008**

Brent Walthall requests the spelling of his name be corrected. SC approves April 4 notes. SC requests notes be circulated to the committee sooner.

### **State Water Resources Control Board Presentation of Work Plan**

Tom Howard presented the SWRCB Work Plan:

Included:

- Describes high priority Bay-Delta activities that the SWRCB may take in next 5 years
- Identifies SWRCB's core water quality and water right responsibilities
- Describes prior SWRCB commitments
- Identifies priorities set by Governor and Delta Vision
- Builds on existing processes, including Bay Delta Conservation Plan (BDCP)
- Elements being addressed by the Draft Strategic Workplan include:
  - Water Quality/ Contaminants Control, Comprehensive Monitoring Program, Southern Delta Salinity/San Joaquin River Flows, Suisun Marsh, Review of Bay-Delta Plan, SWP/CVP Methods of Diversion, Investigate, Enforce Water Rights, Other to Ensure Flows, Water Use Efficiency
- Stresses what the SWRCB will do, not just a wish list
- Anticipates that SWRCB will work closely with BDCP

SC members engaged in extensive discussion on the presentation, particularly on the issues of discharging entities, expiration of VAMP, coordination with BDCP, SWRCB hearings on BDCP and alternatives, review of public trust interest, overlap between BDCP and SWRCB responsibilities, transactional delays with permitting, and full water rights proceedings related to the implementation of BDCP. The permitting process is not expected to take as long as past efforts because an EIR/EIS will be prepared for the BDCP.

### **Draft Schedule for BDCP Development June-December 2008 (Six month Gantt Chart)**

#### **Draft BDCP Development Process and Schedule (Flow Chart)**

Paul Cylinder presented the updated charts explaining that the goal is for the working groups and technical teams to have, by the end of August, created a comprehensive set of conservation measures (CM). These will then come to the SC. During September the SC will begin to consider the CM and then later have these CMs evaluated under the DRERIP modeling process. The goal is to develop BDCP Chapter 3 Conservation Strategy by the end of December. This will be followed by the development of alternatives for the EIR/EIS under the NEPA/CEQA process. The Gantt chart that was presented highlights the pace of the schedule with many sets of activities running in parallel.

SC members discussed their upcoming involvement in screening and evaluating the conservation measures being presented to the SC from the working groups and technical teams starting in September in anticipation of the full DRERIP evaluation scheduled for one full week during November.

SC members discussed the details and limitations of the schedule and Gantt chart including the issues relating to baseline description, adaptive management, biological goals and objectives, timing of independent science workshops, and the influence of OCAP on the schedule. Working groups and technical teams are including adaptive management components into their CM.

### **Working Groups and Technical Teams**

### **Public Outreach Liaisons Working Group**

Karla Nemeth (co-chair) reported on town hall meetings relating to the State's multiple processes affecting the Delta. The State sponsored the town hall meetings and BDCP was one of several programs that were discussed. There was high attendance. Some attendees were concerned about habitat restoration programs and how they would affect their communities. Some expressed the desire for additional details regarding these programs and greater clarity regarding the differences between these programs (DV versus BDCP, for example). Recommend there be a BDCP representative at DV town hall meetings. Tom Howard suggested that the SWRCB be a part of future town halls. It is recommended that SC members participate in public outreach efforts. A suggestion was made to give a briefing to Lt. Governor Garamendi.

### **Science Liaisons Working Group**

Kim Delfino (co-chair) reported the WG hasn't met since the last SC. WG is waiting on Wayne Spencer to compile names for the terrestrial species workshop. Wayne has sent out names, but has not yet gotten feedback. The list of names will be re-sent. Issues concerning W. Spencer's contract need to be addressed.

### **Other Stressors and Water Quality Working Groups**

Brent Walthall and John McCamman (co-chairs) presenting. WG did not meet last week.

### **Habitat Restoration Technical Team**

Dave Harlow and John Cain (co-chairs) reporting on DRERIP training workshop. The workshop provided information regarding ways to better refine action descriptions. Useful information sources were identified along with gaps in knowledge. The workshop was very helpful. The DRERIP tool is valuable, but difficult to use. It will help identify key uncertainties in adaptive management.

### **Implementing Structure/Governance Working Group**

Roger Patterson (co-chair) presenting. WG will meet after this meeting. DV representatives will provide an update to the Governance WG today.

### **Conveyance Working Group**

Ann Hayden (co-chair) reported on HOTT. They have put together CM on the west and south Delta. Key knobs are the Hood Bypass, south Delta pumps versus San Joaquin River flow. They are making progress on looking at outflow, flow parameters and benefits to species. They are expecting more scenarios. Fish agencies will provide feedback on Hood Bypass. Jerry Johns reported that Fish Facilities TT is getting good cooperation from fish agencies, looking at locations in the Sacramento River and have developed a design criteria matrix. They will make more field trips to view existing fish screens. DFG has people working on the San Joaquin River flow. NMFS and DFG are helping define Hood Bypass flows. DWR staff are building climate change into CALSIM

### **Public Comment**

Melinda Terry from the North Delta Water Authority indicated there was lack of credibility at town halls because of a lack of written product. She likes the idea of having the SWRCB in attendance at future town halls, especially to assist in answering technical questions that often arise. She expressed the concern some community members have over what they are calling "Clarksburg Bypass" action from the Habitat Restoration TT. She is concerned that the actions fail to address the economic impacts and social issues.

Brian Wilson on behalf of the Colusa Irrigation District wants to express appreciation for the Strategic Plan Power Point hand out, but indicates that page two is missing.

Karen Scarborough reminded the group of the need to write legibly on the sign-in sheet to ensure that they get put on the SC email distribution list of Interested Parties.

Barbara Byrne from the Planning and Conservation League indicated they registered their opposition to SB 994. She would be encouraged if the bill's authors would be interested in taking amendments. SB 994 does illustrate an important point, the crisis is that farmers are suffering, salmon industry is suffering and the species are suffering. People want something done. While legislators may feel that "Action is more forgivable than inaction," SB 994 is an ill advised action. She believes that a solution supported by science is the best and most lasting.

Adjourned.

## **Attendees**

### *Management and Representatives*

Karen Scarborough (Chair, The Resources Agency)  
Marc Ebbin (The Resources Agency/DWR)  
Will Stelle (The Resources Agency)  
Laura King Moon (State Water Contractors)  
Tom Howard (SWRCB)  
Jerry Johns (DWR)  
Ann Lubas-Williams (USBR)  
Brent Walthall (Kern County Water District)  
Roger Patterson (Metropolitan)  
Joe Grindstaff (CBDA)  
Ara Azhderian (SLDMWD)  
Jason Peltier (Westlands)  
Karla Nemeth (Zone 7)  
Richard Roos-Collins (American Rivers/Natural Heritage Institute)  
Steve Rothert (American Rivers) (phone)  
Kim Delfino (Defenders of Wildlife)  
Ann Hayden (Environmental Defense) (phone)  
Greg Thomas (Natural Heritage Institute)  
John Cain (Natural Heritage Institute)  
Anthony Saracino (The Natural Conservancy)  
John McCamman (DFG)  
Russ Strach (NMFS)  
Paul Cylinder (SAIC)

### *On phone*

Greg Gartrell (CCWD)  
John Chillemi (Mirant)

### *Other attendees*

See sign-in sheets

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